

**Clerk's Office Guidance
Regarding Notice to Preferred Address
Under 11 U.S.C. § 342**

Two key provisions of the of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 ("the Act") require modification to the procedures currently in place within the Clerk's Office when providing notice to creditors. Section 315 of the Act includes provisions that will amend 11 U.S.C. § 342 as follows:

1. Section 342(e) provides that a creditor may file with the court and serve on the debtor a notice of the address that must thereafter be used to give notice to the creditor in that case. The court and debtor must use that address beginning five days after they receive the creditor's notice.
2. Section 342(f) permits a creditor to file a notice with any bankruptcy court setting out the address or addresses to which notices must be sent to the creditor by all bankruptcy courts or by particular bankruptcy courts. This address notice becomes effective 30 days after it is filed with a court. The notice in a specific case under subsection (e) supercedes the more global address notice that might be filed under (f).

To facilitate an expedient implementation of the requirement under Section 342(f), the Iowa Northern Bankruptcy Court has adopted the Procedural Form **CREDITOR REGISTRATION OF PREFERRED ADDRESS AND REQUEST FOR NATIONAL CREDITOR REGISTRATION SERVICE PARTICIPATION**, attached as Exhibit #1 to this Guidance. This form is also available in PDF format on the court's web page at <http://www.ianb.uscourts.gov/formstable.html>

- I. Creditors who complete and return this form to the Bankruptcy Noticing Center (BNC) will have notices sent from all bankruptcy courts, or from the individual bankruptcy courts specified on the form, redirected to a preferred mailing address for cases filed under all chapters of the Bankruptcy Code, effective within 30 days after receipt by the BNC.**
The attached form/registration should be submitted directly to the mailing address/fax number for the BNC, as included on the form. Forms that are received directly by the Clerk's Office will be forwarded on to this same address/fax number, thereby resulting in a potential delay to the effective date of address implementation by the BNC.
- II. The creditor must notify the BNC should there be a change to the preferred address and/or matching names and addresses specified by this form.**
- III. Remember: The BNC does not process all of the notices that you may receive in a case. Notices generated by trustees, attorneys, debtors and other entities may continue to be mailed to the address of record.**

United States Bankruptcy Courts
National Creditor Registration Service

Exhibit #1

**CREDITOR REGISTRATION OF PREFERRED ADDRESS AND
REQUEST FOR NATIONAL CREDITOR REGISTRATION SERVICE PARTICIPATION**

Company or Law Firm Name of Subscriber: _____

OR Individual Name of Subscriber: _____

☐ **All United States Bankruptcy Courts**

OR

☐ **District(s) of:** _____

The courts referred to above are requested to transmit bankruptcy notices through the Bankruptcy Noticing Center (BNC) to the creditor's preferred mailing address specified on page 2 of this form. This form is submitted pursuant to 11 U.S.C. § 342(f) and Federal Rule of Bankruptcy Procedure 2002(g)(4) (eff. December 1, 2005). The transmittal of notices through the BNC to such preferred addresses is provided through the Federal Judiciary's National Creditor Registration Service (NCRS). This form is provided by the U.S. Bankruptcy Courts and may not be altered or changed in any manner. The completed form should be mailed or faxed to the Judiciary's noticing contractor at:

BAE Systems – Bankruptcy Noticing Center
2525 Network Place
Herndon, VA 20171-3514
Fax: (703) 668-4451

How the NCRS Program Works:

Entities that complete and return this form to the BNC will have notices sent from all bankruptcy courts, or from the individual bankruptcy courts specified, redirected to a preferred mailing address for cases filed under all chapters of the Bankruptcy Code, effective within 30 days after receipt by the BNC.

Software will attempt to match the names and addresses provided on this form to the name and address included in the mailing list. In most cases, the addresses in the court's mailing list are provided by the debtor. If a match is made, the notice will be redirected to the preferred name and address specified in this form. If the recipient name and address in the court's mailing list do not match any combination of names and addresses specified in this form, the BNC will mail the notice to the address provided in the mailing list. **The creditor must notify the BNC should there be a change to the preferred address and/or matching names and addresses specified by this form.**

***** The BNC does not process all of the notices that you may receive in a case. Notices generated by trustees, attorneys, debtors and other entities may continue to be mailed to the address of record filed by the debtor. *****

In Case of Error: Please contact the BNC to resolve any address issues.

For Additional Information: Visit the NCRS program web page at www.NCRSuscourts.com or call the toll free NCRS help line at 1-877-837-3424.

CREDITOR REGISTRATION OF PREFERRED ADDRESS – (CONTINUED)**1. CONTACT INFORMATION**

Name					
Firm/Company Name					
Address Line 1					
Address Line 2					
Address Line 3					
Address Line 4					
City, State				Zip Code	
Phone No.		Fax No.		Email	

2. PREFERRED ADDRESS INFORMATION

Firm/Company -OR- Individual Name			
Preferred Address Line 1			
Preferred Address Line 2			
Preferred Address Line 3			
Preferred Address Line 4			
City, State			
Zip (Zip +4 required)		To find your 9 digit zip, go to: http://zip4.usps.com/zip4/	

3. NAME AND ADDRESS VARIATIONS - Provide name and addresses EXACTLY as they appear on notices you currently receive from the bankruptcy courts. The following information will only be used by the BNC to determine when a notice should be readdressed to the preferred name and address identified in section 2 above. Attach additional sheets if needed:

Names to be substituted with Preferred Address Information:

Addresses to be substituted with Preferred Address Information:

4. AUTHORIZATION

To be completed if creditor is a company/corporation:

Under penalty of perjury, I, the undersigned, affirm that I am an authorized officer of the above named company or corporation and I am duly authorized to enter into this agreement on behalf of the named company or corporation; and, I affirm that bankruptcy notices for the above named entity, and any attached company names (spelling variations) and addresses, should legally be directed to the named company. I understand that no legal relationship is created between the entity receiving bankruptcy notices herein and the BNC by this election or submission of this form and that neither the BNC nor the court bears any liability for errors resulting from the information submitted herein or as to future amendments, modifications or substitutions for this information on behalf of this entity.

Name:

Signature:

Corporate Officer Title:
(if applicable)

Date:

To be completed if creditor is an individual:

Under penalty of perjury, I affirm that bankruptcy notices for my name and addresses provided above, and any attached spelling variations, should legally be directed to my address above. I understand that no legal relationship is created between the entity receiving bankruptcy notices herein and the BNC by this election or submission of this form and that neither the BNC nor the court bears any liability for errors resulting from the information submitted herein or as to future amendments, modifications or as to substitutions for this information on behalf of this entity.

Name:

Signature:

Date: